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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/515,338	02/29/2000	J. Larry Summers	067575.0104	1918

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/515,338

Applicant(s)

Summers et al

Examiner

Bing Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/29/0
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-56 is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5 and 6 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-56 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (US Pat No. 6,275,575) in view of Eaton et al (US Pat No. 5,483,588), herein after referred as Eaton.

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Regarding claim 1, Wu teaches a system for scheduling a conference between callers, comprising:

a database operable to store scheduling information indicating at least a start time, a duration, and a maximum number of callers for one or more scheduled conferences, the scheduling information reflecting available conferencing resources (see Fig 1 and col 2, ln 53-col 3, ln 12);

a server complex coupled to the database and operable to:
communicate, to' a requesting Internet Protocol (IP) user, at least one page comprising one or more scheduling input fields (see Figs 1 and 8; and col 2, ln 53-col 3, ln 12 and col 10, lns 6-15);

receive scheduling input from the requesting IP user for a requested conference according to the scheduling input fields (see Figs 1 and 8; and col 2, ln 53-col 3, ln 12 and col 10, lns 6-15);

Wu differs from claimed invention in which it does not explicitly teach:
access the database to determine, according to the scheduling input, whether sufficient conferencing resources are available for the requested conference;
if sufficient conferencing resources are available, allocate at least some available conferencing resources to the requested conference; and
in response to determining sufficient resources are available, generate confirmations of the requested conference for communication to the callers.

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However, Eaton teaches:

access the database to determine, according to the scheduling input, whether sufficient conferencing resources are available for the requested conference (see Fig 6 and col 10, lns 54-65);

if sufficient conferencing resources are available, allocate at least some available conferencing resources to the requested conference (see Fig 6 and col 10, lns 54-65); and

in response to determining sufficient resources are available, generate confirmations of the requested conference for communication to the callers (see Fig 6 and col 10, lns 54-65).

Therefore, integrating Eaton's teachings into conferencing system of Wu would have been obvious for assuring quality of service provided to customers.

Regarding claim 2, Wu further teaches the scheduling input indicates at least a start time, a duration, and a maximum number of callers for the requested conference (col 2, ln 53-col 3, ln 12).

Regarding claim 3, Wu further teaches the scheduling input further comprises a caller identifier for one or more callers (see col 3, lns 13-26 and col 6, lns 17-40).

Regarding claim 4, Wu further teaches the scheduling information specifies a type of confirmation each caller is to receive (see col 5, lns 45-63).

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Regarding claim 5, Wu further teaches the confirmation for a public switched telephone network (PSTN) caller provides a conference telephone number; and the confirmation for an Internet Protocol (IP) caller provides an IP address (see col 3, lns 13-26 and col 6, lns 17-40).

Regarding claim 6, Wu further teaches the confirmation provides a conference telephone number and a conference Internet Protocol address (see col 3, lns 13-26 and col 6, lns 17-40).

Regarding claim 7, Wu further teaches the confirmation provides conference entry information selected from the group consisting of a conference identifier; and a conference password (see col 3, lns 13-26 and col 6, lns 17-40).

Regarding claim 8, Wu further teaches the confirmation further provides a caller identifier for the particular caller receiving the confirmation (see col 3, lns 13-26 and col 6, lns 17-40).

Regarding claim 9, Wu further teaches the confirmation provides instructions for joining the conference to each caller, each caller being selected from the group consisting of a public switched telephone network (PSTN) caller; and an Internet Protocol (IP) caller (see col 3, lns 13-26 and col 6, lns 17-40).

Regarding claim 10, Eaton further teaches the server complex is further operable, if sufficient conferencing resources are not available, to generate alternative scheduling information for the requested conference; and communicate the alternative

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scheduling information to the requesting IP user for acceptance (see Fig 8 and col 12, Ins 13-44).

Regarding claim 11, Wu further teaches the server complex comprises at least a web server (see col 10, Ins 6-11).

As to claims 12-22, they are rejected for the same reasons set forth to rejecting claims 1-11 above, since claims 12-22 are merely a method of operation for the system defined in the system claims 1-11.

Allowable Subject Matter

4. Claims 23-56 are allowed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bales et al (US Pat No. 5,475,747) disclose a system and method for telephone terminal controlled conference inspection.

Campbell, IV et al (US Pat No. 5,903,629) disclose an apparatus and method for automated audio teleconferencing having enhanced reconfiguration features.

Chang (US Pat No. 6,304,648) discloses a system and method for providing multimedia conference call participant identification.

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Smythe et al (US Pat No. 6,418,214) discloses a network-based conference system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Jul 07, 2003



BING BUI
PATENT EXAMINER